GPs, NWPs, & LOPs

- Presenter: Mr. Nicholas Baggett, Project Manager, USACE Mobile District Regulatory Division, Columbus, Mississippi
- 2007 Nationwide Permits- An Overview of Changes
- General Review of Regional Permits/General Permits for Alabama & Mississippi
- General Review of Letters of Permission
- Referenced Information May Be Found At:

  USACE Headquarters Regulatory Branch-
  http://www.usace.army.mil/cw/cecwo/reg/index.html

  USACE Mobile District Regulatory Division-
  www.sam.usace.army.mil/RD/reg

Natic ation

Summary Table of 2007 Nationwide Permits

- 2007 Nationwide Permits - 12 March 2007
  - Final Decision Documents
  - Correction Notice - 8 May 2007
  - 2007 nationwide permits, conditions, and definitions, with corrections (PDF Version)
  - 2007 nationwide permits, conditions, and definitions, with corrections (Text Version)
- Nationwide permits (NWPs) - 15 January 2002 *Federal Register Notice*
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- Summary Table of 2002 Nationwide Permits
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- Decision Documents for 2002 Nationwide Permits
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- Text of 1996 Nationwide Permits
- Conditions of 1996 Nationwide Permits
- 1996 Nationwide Permits - 13 December 1996 *Federal Register Notice*
- 2000 Nationwide Permits - 9 March 2000 *Federal Register Notice*

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POC for this Pag

Summary of the 2007 Nationwide Permits[1]

Nationwide Permit	Statutory Authority	Limits	Pre-Construction Notification (PCN) Threshold	Delineation Required?	Applicable Waters	Changes in 2007	Other Information
NWP 1 – Aids to Navigation	10	none	PCN not required	no	navigable waters of the U.S.	none	
NWP 2 – Structures in Artificial Canals	10	none	PCN not required	no	navigable waters of the U.S.	none	
NWP 3 – Maintenance	10/404					removed provision for the restoration of uplands to new NWP 45	
(a) Repair, rehabilitation, or replacement of previously authorized, currently serviceable structures or fills		authorizes only minor deviations for maintenance	PCN not required	no	all waters of the U.S.	none	does not authorize maintenance dredging for the primary purpose of navigation or beach restoration; does not authorize new stream channelization or stream relocation projects
(b) Discharges associated with removal of accumulated sediments and debris in the vicinity of existing structures, including intake and outfall structures and associated canals		200 feet from structure; minimum necessary to restore capacity intake or outfall or associated canal	all activities	yes	all waters of the U.S.	added maintenance dredging/ excavation provision for intakes, outfalls, and canals from NWP 7; 200 linear foot limit doesn't apply to removal of sediments from intake or outfall structures or canals	also authorizes placement of rip rap to protect the structure
(c) Temporary structures, fills, and work necessary to conduct maintenance activity			PCN not required	no	all waters of the U.S.	added temporary structures, fills, and work associated with the maintenance activity	temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations
NWP 4 – Fish and Wildlife Harvesting, Enhancement, and Attraction Devices and Activities	10/404	none	PCN not required	no	all waters of the U.S.	moved provision for shellfish seeding to NWP 27	does not authorize impoundments or artificial reefs; does not authorize covered oyster trays or clam racks
NWP 5 – Scientific Measurement Devices	10/404	25 cubic yards for weirs and flumes	PCN not required	no	all waters of the U.S.	removed PCN requirement	
NWP 6 – Survey Activities	10/404	25 cubic yards for temporary pads	PCN not required	no	all waters of the U.S.	added exploratory trenching and temporary pads	does not authorize fills for roads; does not authorize permanent structures
NWP 7 – Outfall Structures and Associated Intake Structures	10/404	none	all activities	yes	all waters of the U.S.	changed title; also authorizes modification of these structures; moved maintenance dredging/ excavation activities to NWP 3	activity must comply with National Pollutant Discharge Elimination System Program

[1] This table is intended to provide **general** information on the nationwide permits published in the March 12, 2007, *Federal Register* (72 FR 11092). Prospective users of the nationwide permits should read the text of the nationwide permits, general conditions, and definitions to assess whether a particular nationwide permit could authorize a specific project. Prospective users should also review the pre-construction notification requirements of the nationwide permits and contact the appropriate Corps district to determine if any regional conditions have been imposed on the nationwide permits.

★ Frequently Used NWPs

Nationwide Permit	Statutory Authority	Limits	Pre-Construction Notification (PCN) Threshold	Delineation Required?	Applicable Waters	Changes in 2007	Other Information
NWP 8 – Oil and Gas Structures on the Outer Continental Shelf	10	none	all activities	no	navigable waters of the U.S.	changed title; clarified that PCN is required for all activities	limited to facilities in areas leased by the Minerals Management Service of the Department of the Interior
NWP 9 – Structures in Fleeting and Anchorage Areas	10	none	PCN not required	no	navigable waters of the U.S.	none	applies to structures, buoys, and other devices placed in anchorage or fleeting areas established by the U.S. Coast Guard
NWP 10 – Mooring Buoys	10	none	PCN not required	no	navigable waters of the U.S.	none	
NWP 11 – Temporary Recreational Structures	10	none	PCN not required	no	navigable waters of the U.S.	none	structures must be removed within 30 days after use discontinued
NWP 12 – Utility Line Activities	10/404	1/2 acre	• a section 10 permit is required • mechanized land clearing in forested wetlands for the right-of-way • discharges that result in the loss of >1/10 acre	yes, if PCN required	see text of NWP	apply the PCN requirement for discharges that result in loss of >1/10 acre to all utility line activities, not just substations; added temporary structures, fills, and work associated with the utility line activity	temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations
utility lines			• utility line exceeds 500 linear feet in waters of the U.S. • utility line runs parallel to a stream bed within jurisdictional area		all waters of the U.S.		must restore area to pre-construction contours
utility line substations					non-tidal waters of the U.S., except non-tidal wetlands adjacent to tidal waters		
foundations for overhead utility line towers, poles, and anchors					all waters of the U.S.		separate footings for each tower leg should be used where feasible
access roads			• above-grade permanent access roads exceeding 500 feet; • permanent access roads constructed with impervious materials		non-tidal waters of the U.S., except non-tidal wetlands adjacent to tidal waters		access roads must be constructed to minimize adverse effects to waters of the U.S.

Nationwide Permit	Statutory Authority	Limits	Pre-Construction Notification (PCN) Threshold	Delineation Required?	Applicable Waters	Changes in 2007	Other Information
NWP 13 – Bank Stabilization	10/404	• 500 feet along the bank (unless waived by DE) • 1 cubic yard per running foot (unless waived by DE)	• >500 linear feet in length • >1 cubic yard per running foot along bank below OHWM or HTL • discharges into special aquatic sites	yes, if PCN required	all waters of the U.S.	authorizes discharges into special aquatic sites, provided district engineer issues written waiver	activity cannot impair surface water flow into or out of waters of the U.S.
NWP 14 – Linear Transportation Projects	10/404	• 1/2 acre in non-tidal waters • 1/3 acre in tidal waters	• >1/10 acre • discharges into special aquatic sites	yes, if PCN required	all waters of the U.S.	removed requirement for compensatory mitigation proposal with PCN; stream channel modifications must be minimum necessary to construct or protect the linear transportation project; authorizes temporary structures, fills, and work necessary to construct the linear transportation project	temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations; does not authorize storage buildings, parking, lots, train stations, aircraft hangars, or other non-linear transportation features
NWP 15 – U.S. Coast Guard Approved Bridges	404	none	PCN not required	no	navigable waters of the U.S.	none	causeways and approach fills for bridges are not authorized by this NWP; those activities require separate section 404 authorization
NWP 16 – Return Water From Upland Contained Disposal Areas	404	none	PCN not required	no	all waters of the U.S.	none	water quality issues addressed through section 401 certification process
NWP 17 – Hydropower Projects	404	none	all activities	yes	all waters of the U.S., except section 10 waters	reworded text, but terms and limits remain unchanged	applies to activities licensed by the Federal Energy Regulatory Commission or activities exempt from licensing requirements
NWP 18 – Minor Discharges	10/404	• 25 cubic yards discharged below plane of OHWM/HTL • 1/10 acre of waters of the U.S.	• >10 cubic yards discharged below plane of OHWM/HTL • discharges into special aquatic sites	yes, if PCN required	all waters of the U.S.	expanded the 1/10 acre limit to include all waters of the U.S., not just special aquatic sites; does not authorize discharges for stream diversions	does not authorize discharges for stream diversions
NWP 19 – Minor Dredging	10/404	25 cubic yards below plane of OHWM/ MHWM	PCN not required	no	navigable waters of the U.S.	none	does not authorize dredging or degradation through siltation of coral reefs, submerged aquatic vegetation beds, anadromous fish spawning areas, or wetlands
NWP 20 – Oil Spill Cleanup	10/404	none	PCN not required	no	all waters of the U.S.	authorize clean-up of polychlorinated biphenyls under 40 CFR Part 761	authorizes activities subject to the National Oil and Hazardous Substances Pollution Contingency Plan and any existing state contingency plan
NWP 21 – Surface Coal Mining Operations	10/404	none	all activities	yes	all waters of the U.S.	changed title; include activities processed under integrated permit processing procedures	prospective permittee must receive written authorization prior to commencing the activity

Nationwide Permit	Statutory Authority	Limits	Pre-Construction Notification (PCN) Threshold	Delineation Required?	Applicable Waters	Changes in 2007	Other Information
NWP 22 – Removal of Vessels	10/404	none	• if vessel listed or eligible for National Register of Historic Places • activities in special aquatic sites	yes, if PCN required	all waters of the U.S.	restructured text; added PCN requirement for activities in special aquatic sites	does not authorize maintenance dredging, shoal removal, or river bank snagging; disposal of removed vessel in waters of the U.S. may require separate authorizations from EPA and Corps
NWP 23 – Approved Categorical Exclusions	10/404	none	PCN not required, except for certain activities stated in RGL	yes, if PCN required	all waters of the U.S.	clarified that some activities may require PCN; provided COE web site with RGLs for NWP 23; added reference to RGL 05-07, which provides the current categorical exclusions	categorical exclusions must be approved by the Office of the Chief of Engineers
NWP 24 – Indian Tribe or State Administered Section 404 Program	10	none	PCN not required	no	navigable waters of the U.S.	added Indian Tribe Section 404 programs as eligible; listed states that have assumed section 404 permitting authority	does not authorize activities in navigable waters that require only a section 10 permit
NWP 25 – Structural Discharges	404	none	PCN not required	no	waters of the U.S.	none	structure may require section 10 permit if located in navigable waters of the U.S.; does not authorize structures that support buildings or similar structures
NWP 27 – Aquatic Habitat Restoration, Establishment, and Enhancement Activities	10/404	none	all activities, except for those that require reporting (e.g., activities under a binding agreement between the landowner and an agency)	yes, if PCN required	all waters of the U.S.	added shellfish seeding; requires reporting for Federal agency agreements; added state cooperating agencies; revised terminology; revised to include wetland actions documented by NRCS or USDA Technical Service Provider pursuant to NRCS Field Office Technical Guide standards; removed restriction limiting use by mitigation bank to those approved under mitigation banking guidelines; no conversion of natural wetlands or streams (except for relocation)	does not authorize stream channelization, relocation or conversion of tidal waters, or conversion of natural wetlands or streams (except for relocation activities); notification required for reversion activities
NWP 28 – Modifications of Existing Marinas	10	activities limited to authorized marina area	PCN not required	no	navigable waters of the U.S.	none	does not authorize dredging, additional slips, dock spaces, or expansion in waters of the U.S.
NWP 29 – Residential Developments	10/404	• 1/2 acre • 300 linear feet of stream bed, but DE can waive for intermittent and ephemeral	all activities	yes	non-tidal waters of the U.S., except non-tidal wetlands adjacent to tidal waters	moved provisions (including subdivision provision) for residential developments from NWP 39 to NWP 29; added ephemeral streams to 300 linear foot limit; removed restrictions on who could use NWP	

Nationwide Permit	Statutory Authority	Limits	Pre-Construction Notification (PCN) Threshold	Delineation Required?	Applicable Waters	Changes in 2007	Other Information
NWP 30 – Moist Soil Management for Wildlife	404	none	PCN not required	no	non-tidal waters of the U.S.	removed term limiting use to government-owned or managed property; clarified that it is limited to non-tidal waters	authorizes only on-going activities; does not authorize construction of new dikes, roads, water control structures, etc.; does not authorize conversion of wetlands to uplands; does not authorize impoundments
NWP 31 – Maintenance of Existing Flood Control Facilities	10/404	maintenance baseline approved by district engineer	all activities	yes	all waters of the U.S.	added levees to list of examples of flood control facilities	PCN must indicate location of dredged material disposal sites and baseline information
NWP 32 – Completed Enforcement Actions	10/404	• 5 acres of non-tidal waters • 1 acre of tidal waters • also see text of NWP	PCN not required	no	all waters of the U.S.	changed acreage limit applicability from "wetlands" to "waters"	
NWP 33 – Temporary Construction, Access, and Dewatering	10/404	none	all activities	yes	all waters of the U.S.		associated primary activity must be authorized by Corps or U.S. Coast Guard, or be exempt from permit requirements; PCN must include restoration plan
NWP 34 – Cranberry Production Activities	404	10 acres, but activity cannot result in net loss of wetland acreage	all activities	yes	section 404 waters only	clarify that PCN is required only once during time NWP is valid	does not authorize discharges in waters of the U.S. for attendant features, such as warehouses, processing facilities, or parking areas
NWP 35 – Maintenance Dredging of Existing Basins	10	dredging to previously authorized depths or controlling depths, whichever are less	PCN not required	no	navigable waters of the U.S.		dredged material must be deposited at upland site
NWP 36 – Boat Ramps	10/404	• 50 cubic yards, unless waived by DE • 20 foot width, unless waived by DE	• >50 cubic yards • >20 feet wide	yes, if PCN required	all waters of the U.S., except special aquatic sites	district engineer can waive 50 cubic yard limit and/or 20 foot width limit	section 10 permit required if dredging navigable waters is necessary for access to boat ramp
NWP 37 – Emergency Watershed Protection and Rehabilitation	10/404	none	all activities	yes	all waters of the U.S.	added abandoned mine land reclamation activities with no coal extraction; added Emergency Conservation Program activities administered by Farm Service Agency	in general, permittee should wait until district engineer issues verification, but may proceed immediately if there is an unacceptable hazard to life or significant loss of property or economic hardship will occur
NWP 38 – Cleanup of Hazardous and Toxic Waste	10/404	none	all activities	yes	all waters of the U.S.		does not authorize the establishment of new disposal sites or the expansion of existing disposal sites

Nationwide Permit	Statutory Authority	Limits	Pre-Construction Notification (PCN) Threshold	Delineation Required?	Applicable Waters	Changes in 2007	Other Information
NWP 39 – Commercial and Institutional Developments	10/404	• 1/2 acre • 300 linear feet of stream bed but DE can waive for intermittent and ephemeral	all activities	yes	non-tidal waters of the U.S., except non-tidal wetlands adjacent to tidal waters	add ephemeral streams to 300 linear foot limit; PCN for all activities; move residential developments to NWP 29; remove subdivision provision	does not authorize construction of new golf courses, new ski areas, or oil and gas wells
NWP 40 – Agricultural Activities	404	• 1/2 acre • 300 linear feet of stream bed for ditch relocation, but DE can waive for intermittent and ephemeral	all activities	yes	non-tidal waters of the U.S., except non-tidal wetlands adjacent to tidal waters	add ephemeral streams to 300 linear foot limit; PCN for all activities; add farm ponds (but no fills in perennial streams or aquaculture ponds); remove restrictions on who could use NWP; remove provisions relating to USDA participants	NWP can be used for agricultural activities, regardless of whether applicant is USDA participant; does not authorize aquaculture ponds
NWP 41 – Reshaping Existing Drainage Ditches	404	none	reshape greater than 500 linear feet of drainage ditch	yes, if PCN required	non-tidal waters of the U.S., except non-tidal wetlands adjacent to tidal waters	removed prohibition for permanent sidecasting; as-built capacity of ditch is to be used as baseline	reshaping drainage ditch cannot increase capacity of ditch or drain additional waters of the U.S.; does not authorize relocation of drainage ditches constructed in waters of the U.S.
NWP 42 – Recreational Facilities	404	• 1/2 acre • 300 linear feet of stream bed but DE can waive for intermittent and ephemeral	all activities	yes	non-tidal waters of the U.S., except non-tidal wetlands adjacent to tidal waters	add ephemeral streams to 300 linear foot limit; PCN for all activities; remove requirement to integrate into landscape and not substantially change pre-construction grades or contours; expanded list of examples of authorized activities	authorizes variety of recreational facilities, except for hotels, restaurants, racetracks, stadiums, arenas, or similar facilities (these may be authorized by NWP 39)
NWP 43 – Stormwater Management Facilities	404	• 1/2 acre • 300 linear feet of stream bed but DE can waive for intermittent and ephemeral	all activities involving expansion or construction of SWM facilities	yes, if PCN required	non-tidal waters of the U.S., except non-tidal wetlands adjacent to tidal waters	added ephemeral streams to 300 linear foot limit; PCN required for expansion of existing SWM facilities and construction of new SWM facilities; removed 1/10 acre PCN threshold for maintenance	does not authorize construction of new SWM facilities in perennial streams; maintenance does not require PCN if limited to restoring original design capacities
NWP 44 – Mining Activities	10/404	1/2 acre	all activities	yes	non-tidal waters of the U.S., except non-tidal wetlands adjacent to tidal waters	NWP can be used for any mining activity, except coal mining	PCN must include reclamation plan if reclamation is required by other statutes
NWP 45 – Repair of Uplands Damaged by Discrete Events	10/404	Restore uplands to pre-event ordinary high water mark	all activities	yes	all waters of the U.S.	New NWP from 2002 NWP 3(iii); removed 50 cubic yard limit; authorizes bank stabilization to protect restored uplands; clarified that upland can be restored without permit to OHWM or high tide line	PCN must be submitted to district engineer within one year of date of damage; work must start or be under contract within two years of date of damage

Nationwide Permit	Statutory Authority	Limits	Pre-Construction Notification (PCN) Threshold	Delineation Required?	Applicable Waters	Changes in 2007	Other Information
NWP 46 – Discharges in Ditches	404	1 acre	all activities	yes	certain types of non-tidal ditches constructed in uplands, and determined to be waters of the U.S.	new NWP	NWP does not authorize discharges into ditches constructed in streams or other waters of the U.S., or in streams that have been relocated in uplands.
NWP 47 – Pipeline Safety Program Designated Time-Sensitive Inspections and Repairs	10/404	none	none	no	all waters of the U.S.	new NWP	permittee must participate in Pipeline Repair and Environmental Guidance System
NWP 48 – Existing Commercial Shellfish Aquaculture Activities	10/404	existing project area	• project area > 100 acres • reconfiguration of the activity • change in species • change in culture methods • dredge harvesting, tilling, or harrowing in SAV	yes, if PCN required	navigable waters of the U.S.	new NWP	molluscan species only; project area usually defined as area for which state or local agency has issued a lease or permit for aquaculture activities; for those activities that do not require a PCN, permittees must submit report (report required only once during 5-year period)
NWP 49 – Coal Remining Activities	10/404	limited to sites that were previously mined for coal, but new mining may be conducted in adjacent areas if the newly mined area is less than 40 percent of the area being remined plus any unmined area needed for reclamation	all activities	yes	non-tidal waters of the U.S.	new NWP	permittee must demonstrate net increase in aquatic resource functions through reclamation; activities must be authorized by the Department of Interior (DOI), Office of Surface Mining (OSM), or by states with approved programs under Title IV and V of the Surface Mining Control and Reclamation Act of 1977 or are currently being processed as part of an integrated permit processing procedure; prospective permittee must receive written authorization prior to commencing the activity
NWP 50 – Underground Coal Mining Activities	10/404	none	all activities	yes	non-tidal waters of the U.S., except non-tidal wetlands adjacent to tidal waters	new NWP	activities must be authorized by the Department of Interior (DOI), Office of Surface Mining (OSM), or by states with approved programs under Title V of the Surface Mining Control and Reclamation Act of 1977 or are currently being processed as part of an integrated permit processing procedure; if reclamation required, a copy of the plan must be submitted with PCN; does not authorize coal preparation and processing activities outside of the mine site (these may be authorized by NWP 21); prospective permittee must receive written authorization prior to commencing the activity

NWP Conditions

- General Conditions
- Regional Conditions
- Special Conditions

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Program Overview

The Department of the Army Regulatory Program is one of the oldest in the federal government. Initially, it served a fairly simple purpose: to protect and maintain the navigable capacity of the nation's waters. Changing public needs, evolving policy, court decisions and new statutory mandates have changed several aspects of the program including its breadth, complexity and authority.

The Regulatory Program administers and enforces Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Under Section 10, a Corps permit is required for work or structures in, over or under navigable waters of the United States. Under Section 404, a Corps permit is required for the discharge of dredged or fill material into waters of the United States. Many waterbodies and wetlands in the nation are waters of the United States and are subject to the Corps' Section 404 regulatory authority. For more information, click here.

Click the buttons below to view Regulatory Division Office maps, Check the status of your permit, or to complete a survey form electronically.

Mobile District, Regulatory Offices/Maps

Check Permit Status

Electronic Survey Form

Headlines

Public Notice SAM-2006-2181-JWS
Regional General Permit 20: Comment Period extended to: 10 December 2006. Redevelopment of coastal Mississippi. Residential, Commercial, and Institutional Developments with the Mobile District, Regulatory Division's Geographic Boundary of Hancock, Harrison, Jackson, Pearl River, Stone, and George Counties, Mississippi.

Public Notice No. AL0503767K
EMERGENCY PERMITTING GUIDANCE FOR THE REPAIR AND REPLACEMENT OF STRUCTURES AND DREDGE OR FILL PROJECTS ASSOCIATED WITH DAMAGE FROM HURRICANE KATRINA

- Proposed Modifications to Nationwide Permits (NEW) September 26, 2006
- Mitigation Action Plan & Regulatory Guidance Letter on Mitigation
- USDA & Corps Withdraw from Ag MOA

Publications

- Value to the Nation
- Recognizing Wetlands 2.6M pdf
- Regulatory Program

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Nationwide Permit Summaries

- 2007 Nationwide Permit Certification for Alabama (Water Quality & CZM)

Mississippi Nationwide Permit Regional Conditions and Certifications:

-2007 Nationwide Permit Regional Conditions for Mississippi

- 2007 Nationwide Permit Water Certification for Mississippi

- 2007 Nationwide Permit CZM for Mississippi

Definitions of Terms Used in the Nationwide Permits

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NW Number (Click for full text)	Brief Summary
NW-01	**Aids to Navigation.** The placement of aids to navigation and Regulatory markers which are approved by and installed in accordance with the requirements

U S Army Corps of Engineers
Sacramento District

Nationwide Permit Summary

33 CFR Part 330; Issuance of Nationwide Permits – March 19, 2007

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1. Aids to Navigation The placement of aids to navigation and regulatory markers which are approved by and installed in accordance with the requirements of the U.S. Coast Guard (see 33 CFR, chapter I, subchapter C, part 66). (Section 10)

A. Nationwide Permit General Conditions

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as appropriate, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP.

1. Navigation.

(a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

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Alabama General Permits (pdf file)

Mississippi General Permits (pdf file)

MDOT Mississippi General Permit GP-46_2004-09 (pdf file)
Includes Conditions
Regional General Permit SAM-20
Redevelopment of coastal Mississippi. Residential Developments within the Mobile District, Regulatory Division's Geographic Boundary of Hancock, Harrison, Jackson, Pearl River, Stone, and George Counties, Mississippi.

ALABAMA GENERAL PERMITS

ALG01-2006 - Construction or Modification of Boat Slips
ALG02-2006 - Maintenance Dredging
ALG03-2006- New Work Channel Dredging
ALG04-2006 - Debris Removal
ALG05-2006 - Construction and Modification of Piers, Wharves, and their Normal Appurtenances such as Stairways and Walkwa
ALG06-2006 - Construction and Modification of Boat Shelters, Gazebos, Hoists, etc
ALG07-2006 - Construction and Modification of Boat Ramps or Marine Ways
ALG08-2006 - Mooring Pilings, Dolphins and Single-Pile Structures
ALG09-2006 - Oyster Reefs
ALG10-2006 - Armoring Systems (Riprap), Bulkheads, River Training Structures, Bioengineering, and other Standard Shoreline Protection/Stabilization Devices roughly paralleling, and at the Existing Shoreline or Bank
ALG11-2006 - Maintenance Dredging of Man-made Ditches
ALG12-2006 - Filling of Previously Dredged Areas (such as Boat Slips, Man-made ditches, etc.)
ALG13-ALG16 - Reserved
ALG17-2006 - Creation and Maintenance of Firebreaks
ALG18-2006 - Clear Areas for Wildlife Management
ALG19-2006 - Agricultural Type Activities for the Creation of Habitat or Food Plots
ALG20-2006 - Water Management
ALG21-ALG23 - Reserved
Permits ALG24 through ALG26 are specifically for activities within the Weeks Bay National Estuarine Research Reserve (the Reserve).
ALG24-2006 - Construction and Modification of Piers, Decks, and their Normal Appurtenances such as Stairways and Walkways
ALG25-2006 - Construction/Installation of Mooring Pilings and/or Boat Hoists
ALG26-2006 - Shoreline / Bank Protection
CONDITIONS for General Permits within the Weeks Bay Reserve
SPECIAL CONDITIONS
CONDITIONS of Water Quality Certification and Coastal Zone Management Certification as Issued by the Alabama Department of Environmental Management (ADEM)

MISSISSIPPI GENERAL PERMITS

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Letters of Permission

If work is minor or routine with minimum impacts and objections are unlikely, then it may qualify for a Letter of Permission (LOP). An LOP can be issued more quickly than a standard permit since a public notice is not required.

The term "letter of permission" means a type of individual permit issued in accordance with the abbreviated procedures of 33 CFR 325.2(e).

REFER TO: GENERAL CONDITIONS

33 CFR 325.2(e)(1) reads as follows:

(e) Alternative procedures. Division and district engineers are authorized to use alternative procedures as follows:

(1) Letters of permission. Letters of permission are a type of permit issued through an abbreviated processing procedure which includes coordination with Federal and state fish and wildlife agencies, as required by the Fish and Wildlife Coordination Act, and a public interest evaluation, but without the publishing of an individual public notice. The letter of permission will not be used to authorize the transportation of dredged material for the purpose of dumping it in ocean waters. Letters of permission may be used:

(i) In those cases subject to Section 10 of the Rivers and Harbors Act of 1899 when, in the opinion of the district engineer, the proposed work would be minor, would not have significant individual or cumulative impacts on environmental values, and should encounter no appreciable opposition.

(ii) In those cases subject to section 404 of the Clean Water Act after:

(A) The district engineer, through consultation with Federal and state fish and wildlife agencies, the Regional Administrator, Environmental Protection Agency, the state water quality certifying agency, and, if appropriate, the state Coastal Zone Management Agency, develops a list of categories of activities proposed for authorization under LOP procedures;

(B) The district engineer issues a public notice advertising the proposed list and the LOP procedures, requesting comments and offering an opportunity for public hearing; and

(C) A 401 certification has been issued or waived and, if appropriate, CZM consistency concurrence obtained or presumed either on a generic or individual basis.

The District Engineer will notify you if your proposed activity qualifies for an LOP.

Our Next Presentation-

- Mr. Munther Sahawneh, Inland Team Leader, USACE Mobile District Regulatory Division, Mobile, Alabama

- Topic: Mitigation